

FILED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

MAR 31 2022

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY jc DEPUTY

ALTON ALEXANDER NOLEN,
Plaintiff/Petitioner

v.

CASE NO.: CIV-22-272-F*(To be supplied by the Clerk)**(Prisoner form)*

**JIM FARRIS, Warden, Oklahoma State
Penitentiary,**
Defendant/Respondent

**APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS
and supporting affidavit (pursuant to 28 U.S.C. § 1915 and 28 U.S.C. § 1746 for prisoner cases)**

I hereby apply for leave to: (check one)

- ☒ Commence this action for habeas corpus relief.
- ☐ Commence this action for civil rights relief.

without prepayment of fees and costs or giving security therefor.

In support of my application, I answer the following questions under penalty of perjury:

- 1.) I am the party initiating said action and I believe that I am entitled to relief.
- 2.) The nature of said action is: File a Petition for Writ of Habeas Corpus pursuant to Title 28 United States Code, Section 2254.

- 3.) I am unable to prepay the costs of this action or give security therefor because of my poverty.

- 4.) I have no assets or funds which could be used to prepay the fees or costs, except:

None

(Write "none" above if you have nothing; otherwise list your assets.)

- 5.) I am presently employed: ☐ YES ☒ NO
(a) If the answer is "Yes," state the amount of your salary or wages per month , and give the name and address of your employer:

(b) If the answer is "No," state the date of last employment and the amount of the salary and wages per month which you received:

unknown

- 6.) Within the past twelve months I have received money from the following sources:

(a) Business, profession, or form of self-employment?

☐ YES ☒ NO

(b) Rent payments, interest, or dividends?

☐ YES ☒ NO

(c) Pensions, annuities, or life insurance payments?

☐ YES ☒ NO

(d) Social security, Veterans Administration, disability pensions, workmen's compensation, or unemployment benefits?

☐ YES ☒ NO

(e) Gifts or inheritances?

☐ YES ☒ NO

(f) Any other sources?

☐ YES ☒ NO

If the answer to any of the above is "Yes," describe each source of money and state the amount received from each during the past twelve months:

- 7.) I own cash, including funds in my prison/jail accounts, including any mandatory institutional savings accounts:

☐ YES ☒ NO

If the answer is "Yes," state the total amount of cash owned:

- 8.) I own real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing).

☐ YES ☒ NO

If the answer is "Yes," describe the property and state its approximate value:

- 9.) The following is additional financial or other information regarding my ability to pay the costs of this action (for example, persons who are dependent on you for support):

none

I hereby authorize the agency having custody of me to collect from my prison/jail account(s) and forward to the Clerk of the United States District Court payments assessed by the Court in accordance with 28 U.S.C. § 1915.

I understand that a false statement or answer to any question in this declaration could subject me to penalties of perjury and/or may result in the dismissal of all my claims pursuant to 28 U.S.C. § 1915(e)(2)(a).

Executed at Oklahoma State Penitentiary
(Location)

on 3-1-22
(Date)

John Nolen
(Signature)

REQUIRED CERTIFICATION

You **MUST ATTACH** to this application and affidavit a **certified copy** of your institutional account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this action. You must obtain the **certified copy of your institutional account statement** (or institutional equivalent) from the **appropriate official of each penal institution or jail at which you are or were confined during the six-month period immediately preceding the filing of this action.**

STATEMENT OF INSTITUTIONAL ACCOUNTS

I hereby certify that on 2-11-22, Alton Nolen
(name of prisoner) had \$ 438.05 in his/her institutional account(s). I further
certify that the average monthly deposits to the prisoner's accounts for the six-month period
(continued on next page)

immediately preceding the filing of this action was: \$ _____ x 20% = \$ _____ .

The average monthly balance in the prisoner's account(s) for the six-month period

immediately preceding the filing of this action was: \$ _____ x 20% = \$ _____ .

I further certify that the above referenced amounts were calculated pursuant to the prisoner's institutional account(s) a copy of which is attached hereto.

Michelle Whitake

(Authorized Prison Official)

Accountant IV

(Title)